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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,355	12/29/2000	James E. Pricer	9226	8429

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JAMES M. STOVER  
NCR CORPORATION  
1700 SOUTH PATTERSON BLVD, WHQ4  
DAYTON, OH 45479

EXAMINER

STRANGE, AARON N

ART UNIT PAPER NUMBER

2153

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	Applicant(s)	
09/752,355	PRICER ET AL.	
Examiner	Art Unit	
Aaron Strange	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 7/21/2006 have been fully considered but they are not persuasive.
2. Applicant's only argument is that "applicant finds nothing in either Muret or Tsuchida to suggest this claim element [data ... is loaded into a single database table]" (Page 8 of Remarks). Muret clearly discloses this claim element, and has been cited below. Applicant has failed to provide any additional arguments, persuasive or otherwise, and Applicant has failed to address the newly added claims (16-24).
3. In the interest of expedited prosecution, the Examiner would like to note that the quantity of tables in which collected data is stored is not likely to patentably distinguish the present claims from the currently cited art. Even if Muret did not teach storing the data in a single table, which it does, database tables are merely logical representations of data stored in memory. The exact same data sets stored in the exact same locations could be logically viewed as a single large table or a plurality of smaller tables. Additionally, there are several reasons why someone may want to combine multiple tables into a single table or separate a single table into multiple tables when logically viewing the data, and it certainly would have been well within the skill set of one of ordinary skill in the art to have done so if such an operation were desired.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muret et al. (US 2002/0042821) in view of Tsuchida et al. (US 6,026,394).

6. With regard to claim 1, Muret et al. disclose a method for use in tracking the actions of an Internet user, comprising:

loading data from one or more transaction logs of one or more Internet servers into a single database table (log engine loads log files into a table for processing) (¶51, Lines 1-2 and ¶57), where the data includes an entry for each request to the Internet server (¶51, Lines 4-6), including information identifying the which user submitted the request (¶71, Lines 7-10) and information identifying the time at which the request was received (¶55, Lines 1-5); and

selecting from the data all entries associated with a particular user and corresponding to a single session of that user (¶71). Muret et al. fails to disclose that the database system comprises plural parallel processing modules or executing a database query across the plural parallel processing modules to select the entries from the data.

Tsuchida et al. teach the use of plural parallel processing modules as a means to

decrease the time required to search a database (Col 2, Lines 54-58). Tsuchida discloses a plurality of parallel processing modules including distribution nodes, join nodes, and decision management nodes (Col 2, Line 59 to Col 3, Line 18). These nodes distribute the workload related to the query process, and work on it in parallel to achieve a result faster.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use plural parallel processing modules in the database system to select the entries for a particular user from the data. This would have been advantageous since it would have greatly sped up the process of sorting through the data to select the desired entries.

7. With regard to claim 2, Muret et al. further disclose that the step of selecting includes selecting entries with time stamps lying in a predetermined range (¶71, Lines 10-13).

8. With regard to claim 3, Muret et al. further disclose that the step of selecting includes comparing time stamps of entries and selecting each entry for which the time stamp differs from the time stamp of another entry by less than a predetermined amount (¶71, Lines 10-13).

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9. With regard to claim 4, Muret et al. further disclose that the step of selecting includes selecting each entry for which the time stamp differs from the time stamp of another entry by less than 30 minutes (§71, Lines 10-13).

10. With regard to claim 5, Muret et al. further disclose sorting the selected entries chronologically to reconstruct the user's clickstream (§72, Lines 4-5).

11. With regard to claim 6, Muret et al. disclose a computer program for use in tracking the actions of an Internet user, the program comprising executable instructions that cause one or more computers to:

load data from one or more transaction logs of one or more Internet servers into a single database table (log engine loads log files into a table for processing) (§51, Lines 1-2 and §57), where the data includes an entry for each request to the Internet server (§51, Lines 4-6), including information identifying the which user submitted the request (§71, Lines 7-10) and information identifying the time at which the request was received (§55, Lines 1-5); and

select all entries associated with a particular user and corresponding to a single session of that user (§71). Muret et al. fails to disclose that the database system comprises plural parallel processing modules or executing a database query across the plural parallel processing modules to select the entries from the data.

Tsuchida et al. teach the use of plural parallel processing modules as a means to

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decrease the time required to search a database (Col 2, Lines 54-58). Tsuchida discloses a plurality of parallel processing modules including distribution nodes, join nodes, and decision management nodes (Col 2, Line 59 to Col 3, Line 18). These nodes distribute the workload related to the query process, and work on it in parallel to achieve a result faster.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use plural parallel processing modules in the database system to select the entries for a particular user from the data. This would have been advantageous since it would have greatly sped up the process of sorting through the data to select the desired entries.

12. With regard to claim 7, Muret et al. further disclose that, in selecting entries, the computer selects entries with time stamps lying in a predetermined range (§71, Lines 10-13).

13. With regard to claim 8, Muret et al. further disclose that, in selecting entries, the computer compares time stamps of entries and selects each entry for which the time stamp differs from the time stamp of another entry by less than a predetermined amount (§71, Lines 10-13).

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14. With regard to claim 9, Muret et al. further disclose that, in selecting entries, the computer selects each entry for which the time stamp differs from the time stamp of another entry by less than 30 minutes (§§71, Lines 10-13).

15. With regard to claim 10, Muret et al. further disclose that the computer sorts the selected entries chronologically to reconstruct the user's clickstream (§§72, Lines 4-5).

16. With regard to claim 11, Muret et al. disclose a database system comprising:  
one or more data-storage facilities (database) (Fig 1, 300) for use in storing data received from one or more transaction logs of one or more Internet server computers (§§51), where the data includes an entry for each request to the Internet server computers (§§51, Lines 4-6), including information identifying the which user submitted the request (§§71, Lines 7-10) and information identifying the time at which the request was received (§§55, Lines 1-5); and

one or more processing modules configured to manage the data stored in the data storage facilities (log engine) (§§57); and

a database-management component configured to select from the data all entries associated with a particular user and corresponding to a single session of that user (§§71). Muret et al. fails to disclose that the database system comprises plural parallel processing modules or executing a database query across the plural parallel processing modules to select the entries from the data;



where the data received from the one or more transaction logs is loaded into a single database table (log engine loads log files into a table for processing) (§§51 and 57).

Tsuchida et al. teach the use of plural parallel processing modules as a means to decrease the time required to search a database (Col 2, Lines 54-58). Tsuchida discloses a plurality of parallel processing modules including distribution nodes, join nodes, and decision management nodes (Col 2, Line 59 to Col 3, Line 18). These nodes distribute the workload related to the query process, and work on it in parallel to achieve a result faster.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use plural parallel processing modules in the database system to select the entries for a particular user from the data. This would have been advantageous since it would have greatly sped up the process of sorting through the data to select the desired entries.

17. With regard to claim 12, Muret et al. further disclose that the database-management component is configured to select entries with time stamps lying in a predetermined range (§§71, Lines 10-13).

18. With regard to claim 13, Muret et al. further disclose that the database-management component is configured to compare time stamps of entries and select

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each entry for which the time stamp differs from the time stamp of another entry by less than a predetermined amount (§71, Lines 10-13).

19. With regard to claim 14, Muret et al. further disclose that the database-management component is configured to select each entry for which the time stamp differs from the time stamp of another entry by less than 30 minutes (§71, Lines 10-13).

20. With regard to claim 15, Muret et al. further disclose that the database-management component is configured to sort the selected entries chronologically to reconstruct the user's clickstream (§72, Lines 4-5).

21. With regard to claim 16, Muret further discloses processing the data loaded into a single database table to extract each entry in the single database table the information identifying which user submitted the request (IP address) and the information identifying the time at which the request was received (timestamp) (at least §55).

22. With regard to claim 17, Muret further discloses storing the extracted information in a database table having multiple columns, one for the information identifying which user submitted the request, and another for the information identifying the time at which the request was received (each line is separated into several fields, including IP/session ID and timestamp) (at least §55 and 71).

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23. With regard to claim 18, Muret further discloses that loading data into a single database table includes loading data into a table having a single column, where the single column includes a row for each entry in the one or more transaction logs of the one or more Internet servers (at least ¶¶51 and 55).

24. Claims 19-21 are rejected under the same rationale as claims 16-18, since they recite substantially identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited art.

25. Claims 22-24 are rejected under the same rationale as claim 17, since they recite substantially identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited art.

### ***Conclusion***

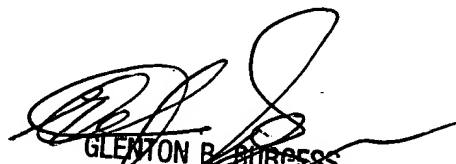
26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 571-272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AS  
9/18/06



GLENON B. BURGESS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100